



June 28, 2005

Docket No. 05-015-1
Regulatory Analysis and Development
PPD, APHIS, Station 3C71
4700 River Road, Unit 118
Riverdale, MD 20737-1238

Re: Docket No. 05-015-1, *National Animal Identification System; Notice of Availability of a Draft Strategic Plan and Draft Program Standards*, *Federal Register*, Friday, May 6, 2005, p. 23962.

Dear Sir or Madam:

The following comments are being submitted on behalf of the Dairy One Cooperative, Inc. (Dairy One) to the Animal Plant Health Inspection Service (APHIS) notice of availability and request for comments entitled *National Animal Identification System; Notice of Availability of a Draft Strategic Plan and Draft Program Standards* (Docket No. 05-015-1). Dairy One is a farmer-owned cooperative that provides dairy herd improvement (DHIA) services to approximately 7,000 dairy farmers in the Northeastern United States, and laboratory services to customers in 50 states and 30 foreign countries. Dairylea Cooperative is a farmer cooperative based in Syracuse NY that provides milk marketing and related services to 2,500 dairy farmers in the Northeastern United States.

Dairylea and Dairy One commend the USDA and Secretary Johanns for moving the NAIS forward and presenting the Draft Strategic Plan and Draft Program Standards.

We endorse the NAIS and the need for a national animal identification system to protect US animal agriculture and the consuming public. We offer the following comments to the specific questions posed by USDA APHIS in regard to the Draft Strategic Plan and Draft Program Standards.

Question-Is a mandatory identification program necessary to achieve a successful animal disease surveillance, monitoring, and response system to support Federal animal health programs?

Yes. In order for the plan to be fully implemented and provide the level of protection to producers and the public intended by the plan, it is our belief that the program must be mandatory.

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Question-In the current Draft Strategic Plan, the NAIS would require that producers be responsible for having their animals identified before the animals move to a premises where they are to be commingled with other animals, such as a sale barn. At what point and how should compliance be ensured? For example, should market managers, fair managers etc. be responsible for ensuring compliance with this requirement before animals are unloaded at their facility or event?

The responsibility for identifying an animal should lie with the producer at the animal's premises of birth. As called for in the plan the animal should be identified before it enters commerce. Compliance with identification requirements need to reside at points where animals will leave their premises of birth and be commingled with animals from premises under different ownership and management. These would be sale and exhibition locations. Provisions should be made to allow for initial identification at points of commingling such as sale or exhibition sites.

Question-It is acknowledged that some producers do not have the facilities to tag their animals; thus the Draft Program Standards document contains an option for tagging sites, which are authorized premises where owners or persons responsible for cattle could have the cattle sent to have AIN tags applied. Do you think this is a viable option; i.e., can markets or other locations successfully provide this service to producers who are unable to tag their cattle at their farms?

Yes. This activity already goes on today at livestock auction facilities and could be continued. These facilities should be free to charge a fee for identifying animals.

Question-The current Draft Strategic Plan does not specify how compliance with identification and movement reporting requirements will be achieved when the sale is direct between a buyer and seller (or through their agents). In what manner should compliance with these requirements be achieved? Who should be responsible for meeting these requirements? How can these types of transactions be inputted into the NAIS to obtain the necessary information in the least costly, most efficient manner?

The requirement for reporting movement should rest with the purchaser of the animal and the purchaser should be compelled to not accept animals unless they have the required individual animal identification and a verified premises number from the seller. The seller should have the option of reporting the movement off his premises as a way to cross reference the movement. One way to be efficient in tracking the movement of animals that do not move through a livestock auction market, but move direct from seller to buyer is to use systems already in place such as the DHIA system used throughout the country.

Question—USDA suggests that animals should be identified anytime prior to entering commerce or being commingled with animals from other premises. Is this recommendation adequate to achieve timely traceback capabilities to support animal

health programs or should a timeframe (age limit) for identifying the animals be considered? Please give the reasons for your response.

Animals should be identified as close to birth as possible for management purposes and in case an animal is inadvertently lost from a herd. Animals (especially dairy cattle) are very manageable at birth and handled and identified as a normal management routine. However, the minimum standard of identifying animals prior to entering commerce or being commingled with animal from other premises should meet the needs of the NAIS.

Question—Are the timelines for implementing the NAIS, as discussed in the Draft Strategic Plan, realistic, too aggressive (i.e., allow too little time), or not aggressive enough (i.e., do not ensure that the NAIS will be implemented in a timely manner)?

The timeframes outlined in the Draft Strategic Plan seem acceptable for implementing the NAIS. Every effort should be made to achieving the specified deadlines for implementation to ensure the security of animal agriculture in this country. However, in order to equip for such an implementation, the industry will need to make substantial investments in technology, expertise and facility modifications. Federal and State funds should be made available in these areas in order to reduce the burden on the private sector. It is imperative that a public-private partnership be put in place to assist in the development of the needed infrastructure if these timelines are going to be met.

Question—Should requirements for all species be implemented within the same timelines, or should some flexibility be allowed?

Requirements for all species should be implemented within the same time frame as outlined in the Draft Strategic Plan. The NAIS and its predecessor the USAIP have been in development for many years with wide spread industry input. Any further delays in implementation only provide for a longer period of risk.

Question—What are the most cost-effective and efficient ways for submitting information to the database (entered via the Internet, file transfer from a herd management computer system, mail, phone, third-party submission of data)? Does the type of entity (e.g. producer, market, and slaughterhouse), the size of the entity, or other factors make some methods for information submission more or less practical, costly, or efficient?

The most cost-effective and efficient ways for submitting information to the database is through systems and channels already in place, do not place a new burden on livestock producers, and that can be expanded. In the dairy sector, the DHIA system used by over half of the dairy producers in the nation is an existing system that already moves great amounts of data, including animal identification, for the benefit of producers. The system can be scaled very easily, and can accommodate species other than dairy. The use of livestock auction markets and gathering sites, and slaughter houses are logical points for gathering and submitting data on animal movement.

Question—We are aware that many producers are concerned about the confidentiality of the information collected in the NAIS. Given the information identified in the draft documents, what specific information do you believe should be protected from disclosure and why?

All information that specifically identifies producers and producer locations should remain confidential and exempted from the Freedom of Information Act (FOIA). The only pieces of information that would not be exempted from FOIA would be the three pieces outlined on Page 2 of the Draft Program Standards.

Question—The NAIS as planned would require States, producers, and other participating entities to provide information and develop and maintain records. How could we best minimize the burden associated with these requirements? For example, should both the seller and the buyer of a specific group of animals report the movement of the animals, or is reporting by one party adequate?

The burden of compliance should remain with the buyer of livestock. As noted earlier, sellers should have the option and opportunity to report animal movement as a redundant measure of the system. Use of existing industry systems would minimize the burden on producers to provide information and the cost of development.

Question—A key issue in the development of the NAIS concerns the management of animal tracking information. Animal health officials must have immediate, reliable, and uninterrupted access to essential NAIS information for routine surveillance activities and in the event of a disease outbreak. APHIS determined that this goal could best be achieved by having the data repositories managed by APHIS. The Draft Program Standards document provides for two main NAIS information repositories: The National Premises Information Repository and the National Animal Records Repository. The National Premises Information Repository would maintain data on each production and animal holding location (contact name, address, phone number, type of operation, etc.) The National Animal Records Repository would maintain animal identification and movement data.

Recently, however, an industry-led initiative suggested a privately managed database as an alternative for the management of data on animal tracking in the NAIS. The industry group stated that a private database would ensure that the needs of both government and industry would be fulfilled, and that the flow of information throughout the NAIS would be maintained in a secure and confidential manner. APHIS is requesting comment from stakeholders regarding the utility of a privately managed database for holding animal location and movement information.

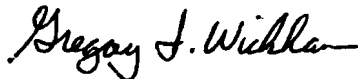
Because of the issues of national security and the speed needed to track animals in the case of a challenge to the animal agriculture system, the National Premise Information Repository and the National Animal Records Repository should be developed, maintained, and under the control of APHIS. Private databases can be used to help collect and submit information to the National Premise Information Repository and

the National Animal Records Repository and promote the efficient use of existing systems.

Other Comments

Dairylea and Dairy One strongly support the use of RFID technology as outlined in the Draft Strategic Plan and Draft Program Standards. The plans call for exclusive use of RFID ear tags. Consideration should be given to the use of implanted RFID devices in the rear ankle or hoc area of cattle. RFID ear tags have limitations in regard to their usefulness for management purposes in dairy cattle. In order for the NAIS to be successful, the use of new identification technologies need to have practical application with producers. By implanting RFID devices in the rear hoc area, management routines for dairy producers could be enhanced while meeting the needs of the NAIS.

Sincerely,



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Dairylea Cooperative Inc.



James R. Zimmerman
General Manager
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